



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Robert Delaware
MuckRock News
DEPT MR 6026, PO Box 55819
Boston, MA 02205-5819

SEP 24 2013

Re: FOIA-2013-01416
Perion Network Ltd.

Dear Mr. Delaware:

This is in response to your request dated September 23, 2013, under the Freedom of Information Act seeking access to all consumer complaints filed regarding Perion Network, Incredimail, and Smilebox. In accordance with the FOIA and agency policy, we have searched our records, as of September 23, 2013, the date we received your request in our FOIA office.

We have located approximately 144 pages responsive complaints. I am granting partial access to, and am enclosing copies of, the accessible records. Two complaints, and portions of other complaints, are subject to two of the nine exemptions to the FOIA's disclosure requirements, as explained below.

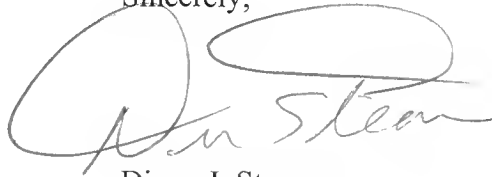
We are withholding two complaints under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), because they are exempt from disclosure by another statute; specifically, Section 21(f) of the FTC Act provides that the FTC may not disclose any material reflecting a consumer complaint obtained from a foreign source if that foreign source has requested confidential treatment. 15 U.S.C. § 57b-2(f).

Enclosed are 140 pages of responsive complaints that consumers have sent to the Federal Trade Commission ("FTC"). You should know that the enclosed complaints have not necessarily been verified by the FTC. Therefore, you should make your own judgment about relying on the information provided. I am denying access to consumers' names and addresses, and any other identifying information found in the complaints. This information is exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because individuals' right to privacy outweighs the general public's interest in seeing personal identifying information. *See The Lakin Law Firm v. FTC*, 352 F.3d 1122 (7th Cir. 2003).

If you are not satisfied with this response to your request, you may appeal by writing to Freedom of Information Act Appeal, Office of the General Counsel, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington D.C. 20580, within 30 days of the date of this letter. Please enclose a copy of your original request and a copy of this response. If you believe that we should choose to disclose additional materials beyond what the FOIA requires, please explain why this would be in the public interest.

If you have any questions about the way we handled your request, or about our FOIA regulations or procedures, please contact James Witherington at 202-326-3661.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dione J. Stearns". The signature is written in dark ink and is positioned below the word "Sincerely,".

Dione J. Stearns
Assistant General Counsel

Enclosed: CD-Rom